

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wilhelmus J. M. Diepstraten, *et al.*

Serial No.: 09/213,984

Filed: December 17, 1998

For: CONTEXT CONTROLLER HAVING CONTEXT-SPECIFIC EVENT  
SELECTION MECHANISM AND PROCESSOR EMPLOYING THE  
SAME

Group: 2154

Examiner: Larry D. Donaghue

Confirmation No.: 6137

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically filed with United States Patent and trademark Office on:	
August 3, 2007	(Date)
Debbie Sams	
(Printed or typed name of person signing the certificate)	
/Debbie Sams/	
(Signature of the person signing the certificate)	

Sir:

**PETITION TO RECONSIDER HOLDING OF ABANDONMENT UNDER MPEP §711.03**

The Applicants have carefully considered this application in view of the Notice of Abandonment issued on July 3, 2007, and respectfully request reconsideration of the holding of abandonment in view of the following remarks.

### REMARKS/ARGUMENTS

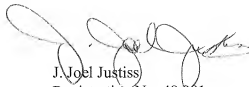
As noted in CFR §1.114, if prosecution in an application is closed, an applicant may request continued examination of the application by filing a submission and the fee set forth in § 1.17(e) prior to the earliest of the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. 141, or the commencement of a civil action under 35 U.S.C. 145. (*See* CFR §1.114(a)(3).) CFR §1.304(a)(1) states that the time for filing the notice of appeal to the U.S. Court of Appeals for the Federal Circuit (§ 1.302) or for commencing a civil action (§ 1.303) is two months from the date of the decision of the Board of Patent Appeals and Interferences. If the last day of the time specified for appeal or commencing a civil action falls on a Saturday, Sunday or Federal holiday in the District of Columbia, the time is extended to the next day which is neither a Saturday, Sunday nor a Federal holiday. (*See* CFR §1.304(b)).

The Board of Patent Appeals and Interferences issued an appeal decision for the above application on April 23, 2007. Two months after the appeal decision was June 23, 2007. On June 25, 2007, the Applicants filed an RCE accompanied by the appropriate fee and submission. Since June 23, 2007, was a Saturday, then the time specified for filing an appeal (or an RCE in this instance) is extended to Monday, June 25, 2007, which is the next day that is neither a Saturday, Sunday nor a Federal holiday. The Applicants, therefore, timely filed an RCE with the appropriate fee and submission. Accordingly, the Notice of Abandonment issued on July 3, 2007, was improper. Thus, the Applicants respectfully request the Examiner to withdraw the holding of abandonment and consider the RCE filed on June 25, 2007.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. There should be no charges associated with this response. However, the Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395 if required.

Respectfully submitted,

HITT GAINES, PC



J. Joel Justiss  
Registration No. 48,981

Dated: August 3, 2007

P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800